Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C.

In re

Clear Channel Hearings) Docket No. 6741

STATEMENT BY MORRIS S. NOVIK, EXECUTIVE SECRETARY, NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

My name is Morris S. Novik. I am Executive Secretary of the National Association of Educational Broadcasters which consists of sixty-five members from twenty-four states and the territory of Hawaii representing college, university and public service agency owned radio stations. At the present time, our members operate 41 AM and FM stations. I hand the reporter a list of our active and associate members.

The statement I am making was approved at the annual convention of the NAEB which was held on October 25-27, 1947, in Chicago.

The NAEB believes that the distribution of radio facilities differs fundamentally from the distribution of the other media of mass communications, such as newspapers and films, because its primary source for distribution belongs to the public at large. Unlike any other media, it draws its right to do business from licenses issued by a Federal regulatory body on the basis of "public interest, convenience, and necessity." Thus, the licensee has a clear duty to serve not only the general but the particular interests of the licensee and needs of the area and region in which the station is located.

The NAEB further believes that its member stations are especially equipped to serve, have the duty of serving, and do, in fact, serve specialized local audiences. This special service includes, among other things, a large range of program content--from special farm and market programs to classroom lectures, educational talks, and discussions on matters of public interest. The witnesses who follow -- all members of NAEB -- will give you detailed information on their specialized type of programming.

The NAEB believes that an integral and essential part of the concept of public interest, convenience, and necessity is the correlation of program content to the

local and particular needs of the community surrounding each station. This criterion should be of paramount importance to the Federal Communications Commission in its grant of facilities and promulgation of rules. The NAEB submits that it is physically and practically impossible for any one or group of 1-A Clear Channel stations to actually serve the highly specialized and local needs of communities which lie beyond their own immediate area. This is particularly true, in so far as it applies to varied needs of farmers. There is attached to this statement a report prepared by the United States Department of Agriculture on the generalized types of farming in the United States; as a part of this report, a map is attached which shows the diversification of agricultural interests in the United States. Just as it is impossible for a Chicago daily newspaper to provide Florida citrus growers with local news, or the Minneapolis daily newspaper to serve adequately the citizens of New York City, it is impossible for Class 1-A stations to serve effectively listeners half a continent away.

The NAEB has no quarrel with the average and typical commercial station whose standardized programming is aimed at the objective of attracting the largest audience. However, it insists upon the necessity of enriching radio service by adding specialized and unique services, keyed to regions and areas, which are now offered by college and university stations -- on a limited daytime basis.

The NAEB submits that in its opinion college and university stations should be permitted to meet the needs and wants of its own particular radio audiences at night in the same manner as it now meets them during the day.

The grant of super-power to any of the present 1-A Clear Channel licensees would not only prevent college and university stations from securing nighttime broadcast hours which are so essential in order to reach the largest audience, but would also have the effect of seriously curtailing the service to the present radio listening audience during the day.

The NAEB does not request the promulgation of a Commission rule which would automatically break down all of the clear channels. It believes that the issue on

which clear channels should be broken down and under what circumstances, should depend upon the relative merits of each case. It submits that the Commission's Rules should provide for a procedure whereby daytime radio stations licensed to universities, colleges and public service agencies may apply for a license to operate at nighttime on Class I-A channels. Such applications should be designated for hearing and the particular station then operating on the channel should be made a party to the hearing. On the basis of the record established at the hearing, where each of the parties would be permitted to introduce testimony on the need of service to the respective areas, the Commission can grant or deny the application for additional nighttime service on the clear channel. We are not asking for special protective favors. We are not asking for special protective rules. We, the educational broadcasters, are asking for a comparative consideration of the merits of each of our specific particular cases. This is the democratic method. This is the fair method. This is the method by which public servants, who are the judges of conflicting interests, should make a fair and equitable distribution of radio facilities among applicants.

We are not asking for a redesignation of the class of stations which are presently operated as Class I-A Clear Channels. Under our proposal their designation will remain the same and, consequently, the protection required to them from stations outside of the United States will remain the same as it is now.

The witnesses who follow and who will appear in support of the position taken by the National Association of Educational Broadcasters, are:

1. Michael Hanna, WHCU, Cornell University, Ithaca, New York
2. Dr. I. Keith Tyler, Ohio State University, WOSU, Columbus, Ohio
3. Russell Thackeray, Association of Land Grant Colleges, Washington, D. C.
4. Burton Paulu, University of Minnesota, KUOM, Minneapolis, Minn.
5. M. L. Jensen, St. Olaf College, WCAL, Northfield, Minnesota
6. John W. Dunn, University of Oklahoma, WNAD, Norman, Oklahoma
7. H. H. Leake, Oklahoma Agricultural and Mechanical College, Permittee of KOAG, Stillwater, Oklahoma

8. Seymour Segal, City of New York, WNYC

9. Robert Coleman, Michigan State College, WKAR, East Lansing, Michigan

10. R. B. Hull, Iowa State College, WOI, Ames, Iowa

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